

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE ENROLLED ACT No. 1049

AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 16-18-2-143, AS AMENDED BY P.L.14-2000, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 143. (a) "Fund", for purposes of IC 16-26-2, has the meaning set forth in IC 16-26-2-2.

(b) "Fund", for purposes of IC 16-46-5, has the meaning set forth in IC 16-46-5-3.

(c) "Fund", for purposes of IC 16-46-12, has the meaning set forth in IC 16-46-12-1.

SECTION 2. IC 16-19-3-26, AS AMENDED BY P.L.131-2001, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 26. (a) The anatomical gift promotion fund is established. The fund consists of amounts distributed to the fund by the auditor of state under IC 9-18-2-16.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the fund.

(c) The state department shall administer the fund. Any expenses incurred in administering the fund shall be paid from the fund.

(d) Except as provided in subsections (e) and (f), the state department shall select appropriate organ procurement organizations to which the money deposited in the fund shall be distributed.

HEA 1049 — Concur+



C
o
p
y

(e) Except as provided in subsection (f), the state department may not distribute any money from the fund after June 30, 2001.

(f) Beginning July 1, 2002, the state department shall distribute money deposited in the fund **as follows:**

(1) For the state fiscal year beginning July 1, 2002:

(A) sixty thousand six hundred fifty dollars (\$60,650) for payment to the Indiana Blood Center for testing of bone marrow before entrance into the National Bone Marrow Registry; and

(B) the lesser of fifty thousand dollars (\$50,000) or the amount in the fund after the distribution is made under clause (A) shall be distributed to the bone marrow and organ donor fund established under IC 16-46-12-2.

After the distribution to the bone marrow and organ donor fund under this subdivision, any amount remaining in the fund shall be distributed to the Indiana Donation Alliance Foundation.

(2) For the state fiscal year beginning July 1, 2003, the money in the fund shall be distributed to the Indiana Donation Alliance Foundation.

(g) The Indiana Donation Alliance Foundation shall keep information regarding the identity of an individual who has indicated a desire to make an organ or tissue donation confidential.

(h) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(i) This section expires June 30, 2004.

SECTION 3. IC 16-46-12 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]:

Chapter 12. Bone Marrow and Organ Donations

Sec. 1. As used in this chapter, "fund" refers to the bone marrow and organ donor fund established by section 2 of this chapter.

Sec. 2. (a) The bone marrow and organ donor fund is established for the purposes under section 3 of this chapter. The department shall administer the fund.

(b) Expenses of administering the fund shall be paid from money in the fund.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

Sec. 3. The department shall use money in the fund to:

C
o
p
y



(1) establish a program; or
(2) provide grants to programs;
to provide free human leukocyte antigen (HLA) testing, which is administered to place an individual on a national bone marrow donor registry and provide free testing to place an individual on a national human organ donor registry.

Sec. 4. The department may adopt rules under IC 4-22-2 to administer this chapter.

C
o
p
y



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Approved: _____

Governor of the State of Indiana

C
o
p
y

HEA 1049 — Concur+

